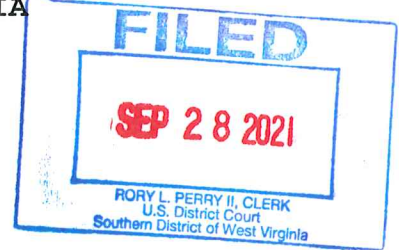


SEALED

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON GRAND JURY 2020
SEPTEMBER 28, 2021 SESSION



UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:21-cr-00172

21 U.S.C. § 846
21 U.S.C. § 841 (a) (1)
18 U.S.C. § 922 (g) (1)
18 U.S.C. § 922 (g) (9)
18 U.S.C. § 924 (a) (2)
18 U.S.C. § 1952 (a)
18 U.S.C. § 2

RAMON DAVID ALSTON
BRIAN DANGELO TERRY
TREYDAN LEON BURKS
JASON ROBERT OXLEY
JONATHAN GREGORY BUSH
SCOTT EDWARD HUDSON
JAMES EDWARD BENNETT, III
LEO ANTOINE SMITH
KAITLYN BROOKE COMBS
KELLY CORDLE
DENISE MARIE COTTRILL
BRITTANY FRANCIS GILBERT
ANGELA DAWN HARBOUR
DOUGLAS JOHNATHAN WESLEY

I N D I C T M E N T

The Grand Jury Charges:

COUNT ONE

(Conspiracy to Distribute a Quantity of Methamphetamine)

From in or about March 2019 to on or about September 27, 2021, in or near Rand, Kanawha County, West Virginia, and within the Southern District of West Virginia, and elsewhere, defendants RAMON DAVID ALSTON, BRIAN DANGELO TERRY, TREYDAN LEON BURKS, JASON ROBERT OXLEY, JONATHAN GREGORY BUSH, SCOTT EDWARD HUDSON, LEO ANTOINE SMITH, KAITLYN BROOKE COMBS, KELLY CORDLE, DENISE MARIE COTTRILL, BRITTANY FRANCIS GILBERT, and ANGELA DAWN HARBOUR, together with other persons whose identities are both known and unknown to the Grand Jury, knowingly conspired to commit offenses in violation of 21 U.S.C. § 841(a)(1), that is, knowingly and intentionally to distribute quantities of a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

QUANTITY OF METHAMPHETAMINE INVOLVED IN THE CONSPIRACY

a. With respect to defendants RAMON DAVID ALSTON, BRIAN DANGELO TERRY, TREYDAN LEON BURKS, JASON ROBERT OXLEY, and JONATHAN GREGORY BUSH the amount of methamphetamine involved in the conspiracy and attributable to each of them, as a result of their own conduct and the conduct of other conspirators reasonably foreseeable to them, is 500 grams or more of a mixture and

substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers.

b. With respect to defendant SCOTT EDWARD HUDSON the amount of methamphetamine involved in the conspiracy and attributable to him, as a result of his own conduct and the conduct of other conspirators reasonably foreseeable to him, is 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers.

c. With respect to defendants LEO ANTOINE SMITH, KAITLYN BROOKE COMBS, KELLY CORDLE, DENISE MARIE COTTRILL, BRITTANY FRANCIS GILBERT, and ANGELA DAWN HARBOUR the amount of methamphetamine involved in the conspiracy and attributable to them, as a result of their own conduct and the conduct of other conspirators reasonably foreseeable to them, is a quantity of a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers.

All In violation of Title 21, United States Code, Section 846.

COUNT TWO
(Distribution of Methamphetamine)

On or about March 22, 2019, at or near Saint Albans, Kanawha County, West Virginia, and within the Southern District of West Virginia, defendant SCOTT EDWARD HUDSON knowingly and intentionally distributed a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT THREE

(Possession With Intent to Distribute Methamphetamine)

On or about March 23, 2019, at or near Saint Albans, Kanawha County, West Virginia, and within the Southern District of West Virginia, defendant SCOTT EDWARD HUDSON knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT FOUR
(Possession with Intent to Distribute a Quantity
Methamphetamine)

On or about February 5, 2021, at or near Charleston, Kanawha County, West Virginia, and within the Southern District of West Virginia, defendant DENISE MARIE COTTRILL knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT FIVE
(Distribution of Methamphetamine)

On or about March 22, 2021, at or near Saint Albans, Kanawha County, West Virginia, and within the Southern District of West Virginia, defendant JASON ROBERT OXLEY knowingly and intentionally distributed a quantity of a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT SIX
(Distribution of Methamphetamine)

On or about April 12, 2021, at or near Saint Albans, Kanawha County, West Virginia, and within the Southern District of West Virginia, defendant JASON ROBERT OXLEY knowingly and intentionally distributed a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT SEVEN
(Felon in Possession of a Firearm)

1. On or about May 21, 2021, at or near Saint Albans, Kanawha County, West Virginia, and within the Southern District of West Virginia, defendant JASON ROBERT OXLEY knowingly possessed a firearm, that is, a SWD Cobray, Model M11/9, 9mm pistol, in and affecting interstate commerce.

2. At the time defendant JASON ROBERT OXLEY possessed the aforesaid firearm, he knew he had been convicted of the following crimes, each of which was punishable by imprisonment for a term exceeding one year, as defined in 18 U.S.C. § 921(a)(20):

- a. Convicted on or about August 31, 2004, in the Circuit Court of Putnam County, West Virginia, of Operating a Clandestine Drug Lab in violation of W.Va. Code § 60A-4-401;
- b. Convicted on or about June 26, 2017, in the Circuit Court of Kanawha County, West Virginia, of Possession of Substances Used as Precursors to Manufacture Methamphetamine in violation of W.Va. Code § 60A-10-4; and
- c. Convicted on or about September 26, 2017, in the Circuit Court of Kanawha County, West Virginia, of Grand Larceny in violation of W.Va. Code § 61-3-13(a).

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT EIGHT
(Felon in Possession of a Firearm)

1. On or about May 22, 2021, at or near Saint Albans, Kanawha County, West Virginia, and within the Southern District of West Virginia, defendant SCOTT EDWARD HUDSON knowingly possessed a firearm, that is, SWD Cobray, Model M11/9, 9mm pistol, in and affecting interstate commerce.

2. At the time defendant SCOTT EDWARD HUDSON possessed the aforesaid firearm, he knew he had been convicted of the following crime, which was punishable by imprisonment for a term exceeding one year, as defined in 18 U.S.C. § 921(a)(20), that is, convicted on or about June 30, 2006, in the Circuit Court of Jackson County, West Virginia, of Attempt to Commit a Felony in violation of W.Va. Code 61-11-8(2).

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT NINE
(Felon in Possession of a Firearm)

1. On or about July 4, 2021, at or near Charleston, Kanawha County, West Virginia, and within the Southern District of West Virginia, defendant BRIAN DANGELO TERRY knowingly possessed a firearm, that is, a Spike's Tactical, Model SL15, .223 caliber pistol, in and affecting interstate commerce.

2. At the time defendant BRIAN DANGELO TERRY possessed the aforesaid firearm, he knew he had been convicted of the following crimes, each of which was punishable by imprisonment for a term exceeding one year, as defined in 18 U.S.C. § 921(a)(20):

- a. Convicted on or about February 25, 2005, in the Circuit Court of Kanawha County, West Virginia, of Malicious Wounding in violation of W.Va. Code § 61-2-9; and
- b. Convicted on or about March 8, 2011, in the Circuit Court of Kanawha County, West Virginia, of Possession with Intent to Deliver Marijuana in violation of W.Va. Code § 60A-4-401.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT TEN

**(Possession of Firearms by a Person Previously Convicted of a
Misdemeanor Crime of Domestic Violence)**

1. On or about July 4, 2021, at or near Charleston, Kanawha County, West Virginia, and within the Southern District of West Virginia, defendant TREYDAN LEON BURKS, did knowingly possess the following firearms in and affecting interstate commerce:

- a. FNH, Model FNS-9, 9mm pistol; and
- b. Spike's Tactical, Model SL15, .223 caliber pistol.

2. At the time defendant TREYDAN LEON BURKS possessed the aforesaid firearms, he knew he had been convicted of a misdemeanor crime of domestic violence as defined in 18 U.S.C. § 921(a)(33)(A), that is, convicted on or about September 12, 2014, in the Magistrate Court of Kanawha County, West Virginia, of Domestic Assault in violation of W.Va. Code § 612-28(b).

In violation of Title 18, United States Code, Sections 922(g)(9) and 924(a)(2).

COUNT ELEVEN
(Felon in Possession of Firearms)

1. On or about July 4, 2021, at or near Charleston, Kanawha County, West Virginia, and within the Southern District of West Virginia, defendant JAMES EDWARD BENNETT, III knowingly possessed the following firearms in and affecting interstate commerce:

- a. Taurus, Model G2C, 9mm pistol; and
- b. Spike's Tactical, Model SL15, .223 caliber pistol.

2. At the time defendant JAMES EDWARD BENNETT, III possessed the aforesaid firearms, he knew he had been convicted of the following crimes, each of which was punishable by imprisonment for a term exceeding one year, as defined in 18 U.S.C. § 921(a)(20):

- a. Convicted on or about July 13, 2010, in the Circuit Court of Kanawha County, West Virginia, of First-Degree Robbery in violation of W.Va. Code § 61-3-11(a);
- b. Convicted on or about July 17, 2017, in the Circuit Court of Kanawha County, West Virginia, of Voluntary Manslaughter in violation of W.Va. Code §§ 61-2-2 and 61-2-4; and
- c. Convicted on or about August 21, 2019, in the Circuit Court of Kanawha County, West Virginia, of

Unlawful Wounding in violation of W.Va. Code § 61-2-9(a).

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT TWELVE
(Felon in Possession of a Firearm)

1. On or about July 4, 2021, at or near Charleston, Kanawha County, West Virginia, and within the Southern District of West Virginia, defendant DOUGLAS JOHNATHAN WESLEY knowingly possessed a firearm, that is, a Sig Sauer, Model SP2022, .40 caliber pistol, in and affecting interstate commerce.

2. At the time defendant DOUGLAS JOHNATHAN WESLEY possessed the aforesaid firearm, he knew he had been convicted of the following crimes, each of which was punishable by imprisonment for a term exceeding one year, as defined in 18 U.S.C. § 921(a)(20):

a. Convicted on or about August 4, 2005, in the Circuit Court of Kanawha County, West Virginia, of First-Degree Robbery in violation of W.Va. Code § 61-3-11(a);

and

b. Convicted on or about June 10, 2013, in the United States District Court for the Southern District of West Virginia, of Felon in Possession of a Firearm in violation of 18 U.S.C. § 922(g)(1).

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT THIRTEEN

(Interstate Travel in Aid of Racketeering Enterprises)

1. On or about July 19, 2021, at or near Charleston, Kanawha County, West Virginia, within the Southern District of West Virginia, and elsewhere, defendant JONATHAN GREGORY BUSH, traveled in interstate commerce from the State of West Virginia to the State of Georgia, with the intent to promote, manage, establish, carry on, and facilitate the promotion, management, establishment and carrying on of an unlawful activity, that is, a business enterprise involving a conspiracy to knowingly and intentionally distribute methamphetamine, its salts, isomers, and salts of its isomers, in violation of 21 U.S.C. § 846.

2. Thereafter defendant JONATHAN BUSH, performed and attempted to perform an act or acts to promote, manage, establish and carry on, and to facilitate the promotion, management, establishment and carrying on of such unlawful activity.

In violation of Title 18, United States Code, Section 1952(a).

COUNT FOURTEEN
**(Aiding and Abetting Interstate Travel in Aid
of Racketeering Enterprises)**

1. On or about August 3, 2021, at or near Charleston, Kanawha County, West Virginia, within the Southern District of West Virginia, and elsewhere, defendants BRIAN DANGELO TERRY, BRITTANY FRANCES GILBERT, and ANGELA DAWN HARBOUR, aided and abetted by each other, traveled in interstate commerce from the State of West Virginia to the State of Ohio, with the intent to promote, manage, establish, carry on, and facilitate the promotion, management, establishment and carrying on of an unlawful activity, that is, a business enterprise involving a conspiracy to knowingly and intentionally distribute methamphetamine, its salts, isomers, and salts of its isomers, in violation of 21 U.S.C. § 846.

2. Thereafter defendant BRIAN DANGELO TERRY, BRITTANY FRANCES GILBERT, and ANGELA DAWN HARBOUR, aided and abetted by each other, performed and attempted to perform an act or acts to promote, manage, establish and carry on, and to facilitate the promotion, management, establishment and carrying on of such unlawful activity.

In violation of Title 18, United States Code, Sections 1952(a) and 2.

COUNT FIFTEEN

(Possession with Intent to Distribute Methamphetamine)

On or about August 3, 2021, at or near Cross Lanes, Kanawha County, West Virginia, and within the Southern District of West Virginia, defendant BRIAN DANGELO TERRY knowingly and intentionally possessed with intent to distribute a mixture and substance containing 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

NOTICE OF FORFEITURE

1. The allegations contained in Counts One through Fifteen of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. § 924(d)(1), 21 U.S.C. § 853, and 28 U.S.C. § 2461(c).

2. Pursuant to 18 U.S.C. § 924(d)(1), 28 U.S.C. § 2461(c), 21 U.S.C. § 853 and Rule 32.2(a) of the Federal Rules of Criminal Procedure, upon the conviction of an offense in violation of 18 U.S.C. §§ 922(g), 924(a)(2), (c)(1)(A) and 21 U.S.C. §§ 841(a)(1), 846, the defendants RAMON DAVID ALSTON, BRIAN DANGELO TERRY, TREYDAN LEON BURKS, JASON ROBERT OXLEY, JONATHAN GREAGORY BUSH, SCOTT EDWARD HUDSON, JAMES EDWARD BENNETT, III, LEO ANTOINE SMITH, KAITLYN BROOKE COMBS, KELLY CORDLE, DENISE MARIE COTTRILL, BRITTANY FRANCIS GILBERT, ANGELA DAWN HARBOUR, and DOUGLAS JOHNATHAN WESLEY, shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such offenses and any property used, intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offenses, including but not limited to the following items:

- a. the sum of \$14 in United States currency, more or less, previously seized by law enforcement;
- b. the sum of \$2,940 in United States currency, more or less, previously seized by law enforcement;

- c. the sum of \$840 in United States, more or less, previously seized by law enforcement;
- d. 2014 Dodge Charger, VIN: 2C3CDXAT5EH206781;
- e. 2013 Toyota RAV4, VIN: JTMBFREV7DD018509;
- f. all firearms and ammunition previously seized by law enforcement.

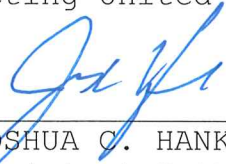
3. If any of such property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p).

LISA G. JOHNSTON
Acting United States Attorney

By:



JOSHUA C. HANKS
Assistant United States Attorney